

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

DAVID ALAN PENDERGAST,

Defendant.

Case No. 1:09:CR:312

HON. GORDON J. QUIST

ORDER

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objection has been made thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and Recommendation of the Magistrate Judge filed October 28, 2009, is approved and adopted as the Opinion and Findings of this Court.
2. Defendant David Alan Pendergast's plea of guilty to Count One of the Felony Information is accepted. Defendant David Alan Pendergast is adjudicated guilty.
3. A decision of whether to accept the written plea agreement will be made at the time of sentencing after the Court has had the opportunity to review the Presentence Investigation Report. See U.S.S.G. Ch. 6.

Dated: November 20, 2009

/s/ Gordon J. Quist
GORDON J. QUIST
UNITED STATES DISTRICT JUDGE